

# **CITY OF NEWPORT**

## **DOCKET OF THE COUNCIL MEETING**

### **MAY 23, 2012**

The following items of business, filed with the City Clerk under the Rules of the Council, will come before the Council at its regular meeting to be held on May 23, 2012, at 6:30 P.M.

#### ***PLEDGE OF ALLEGIANCE TO THE FLAG***

**CITIZEN'S FORUM:** (Speakers must sign in with the City Clerk). The Citizen's Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes**. Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **PUBLIC HEARING:** Recommended FY13 Proposed Budget
  - a. Revisions to the FY13 Proposed Budget
  - b. Ordinance Appropriating Revenues (First Reading)
  - c. Ordinance Amending Title 3, Personnel (First Reading)
2. **PUBLIC HEARING:** Redistricting of Ward Lines
  - a. Communication from the Canvassing Authority, re: Redrawing of City Ward and Voting Districts
  - b. Resolution approving the proposed changes to City ward lines and voting districts as submitted by ArcBridge Consultant and the Canvassing Authority

It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all supporting documents, can be viewed on the City of Newport website: [www.cityofnewport.com](http://www.cityofnewport.com) – “Current Newport City News & Announcements” – Click on “MORE NEWS.” Council Meetings can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting will be available at the Newport Public Library within 48 hours of the meeting.

LIVE VIDEO CONFERENCING OF COUNCIL MEETINGS AND WORKSHOPS WILL BE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, **BASED UPON NOTIFICATION TO THE CITY MANAGER'S OFFICE (845-5429) A MINIMUM OF 48 HOURS IN ADVANCE OF THE MEETING.** INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST NOTIFY THE CITY MANAGER'S OFFICE TWO WEEKS IN ADVANCE OF THE MEETING.

3. **CONSENT CALENDAR.** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)

- a. Minutes of the May 9, 2012, council meetings (Approve)
- b. Special Event Licenses:
  - (1) Elmwal Associates, LLC, d/b/a Music at Long Wharf; Shops at Long Wharf Mall, June 2, 9, 16, 23, 30; July 7, 14, 21, 28; Aug. 4, 11, 18, 25; Sept. 1, 2012, from 1:00 p.m. to 5:00 p.m.
  - (2) RHS Post Graduation Committee, d/b/a RHS Post Graduation Party; The Elks Lodge, 141 Pelham St., June 15, 2012, from 7:00 p.m. to Midnight.
  - (3) Redwood Library, d/b/a A Revolutionary Soiree Gala; Redwood Library, 50 Bellevue Avenue, July 14, 2012, from 6:30 p.m. to 11:30 p.m.
  - (4) St. John the Evangelist Church, d/b/a St. John's Annual Summer Fair; St. John's Church, corner of Washington and Willow Sts., July 28, 2012, from 10:00 a.m. to 2:00 p.m.
  - (5) Newport Yachting Center, d/b/a Newport Summer Comedy Series/Kevin Hart, Show #2; Friday, August 24, 2012, from 10:30 p.m. to 12:30 a.m. (Annual entertainment license limits entertainment to 11 p.m. weekdays and midnight on weekends)
- c. Annual Entertainment License, Class A & B, Renewal, Seaport Grille & Raw Bar, LLC, d/b/a The Port, 359 Thames St. (Renew subject to all existing conditions)
- d. Annual Entertainment License, Class A, Renewals: (Renew subject to all existing conditions):
  - (1) The Mainstay Inn, Ltd., d/b/a Best Western Mainstay Inn, 151 Admiral Kalbfus Rd.
  - (2) Billy Goode Company, Inc., d/b/a Billy Goode's, 29 Marlborough St.
  - (3) Celtica, LLC, d/b/a Celtica, 95 Long Wharf

- (4) Club 200, Inc., d/b/a The Club, 200 Broadway
  - (5) Ocean State Five, LLC, d/b/a Five Guys Burgers
- e. Holiday Selling License, Renewals:
  - (1) Anchor Bend Glassworks, LLC, 16 Franklin St.
  - (2) Barry Automotive, Inc., d/b/a Barry Newport Nissan Volvo, 166 Connell Highway
  - (3) Newport Historical Society, d/b/a Museum of Newport History, 127 Thames St.
  - (4) Thames St. Shirt Co., d/b/a Newport Shirt Co., 492 Thames St.
  - (5) Wicker Designs LTD, d/b/a P.S. Gear Division, 113 Swinburne Row
  - (6) Wicker Designs LTD, d/b/a PS Too, 219 Goddard Row
  - (7) Wicker Designs LTD, d/b/a Pleasant Surprise, 121 Swinburne Row
- f. Holiday Selling Licenses, New:
  - (1) Aqua Boutique, LLC, d/b/a Aqua Boutique, 468 Thames St.
  - (2) Toci, LLC, d/b/a Toci, 18 Franklin St.
  - (3) Maureen Kennedy-Antonellis, d/b/a Studio 02840, 337 Thames St.
- g. Sidewalk Café License, Renewal, NWPT, Inc., d/b/a One Eighty, 8-10 Broadway
- h. Victualing License, Renewal, Lindsey Kusic, d/b/a Gooseberry Concession and Grill, Gooseberry Beach, Ocean Ave.
- i. Communication from Marcia Mallory, Membership Chair, Channing Memorial Church, asking permission to use a portion of the southwest side of Touro Park for a Church picnic on June 10, 2012, from 9:30 a.m. to 12 Noon (Approve subject to details being worked out with the city administration.)
- j. Communication from Paul Harden, Exec. Director, America's Cup, asking to reserve two parking spaces on June 22, 2012, between Court House Street and Washington Square for use by the Navy Show Band to facilitate set-up for their performance during the Downtown Welcome Celebration for the America's Cup at 6:00 p.m. (Approve subject to details being worked out with the city administration)

- k. Communication from Eric W. Shear, International Sales Director, Jetlev Technologies, Inc., re: asking permission to demonstrate the Jetlev R-200 in and around Newport Harbor from June 17 to July 7, 2012. (Receive and refer to the city administration for a recommendation.)
- l. Communication from Steven G. Cundy, et als, 381 Thames St. opposing the City's plans for the Newport Harbor Center (Armory) and extension of the Ann Street Pier. (Receive)
- m. CRMC Notice of Subcommittee Meeting on June 5, 2012, at 6:30 p.m., Middletown Town Hall, re: City of Newport application to construct and maintain a public "Touch and Go" boating facility.

#### **LICENSES & PERMITS**

- 4. Entertainment License, Class A, Renewal, Mach, LLC, d/b/a Sambar, 515 Thames St. (Restrictions: all doors and windows to be closed during entertainment; continued from May 9, 2012)
  - Communication from Gary M. Cassidy, 515 Thames St., requesting amplified entertainment be limited to 11:00 p.m.
- 5. Entertainment License, Expansion, Carter, LLC, d/b/a The Speakeasy Bar and Grill, 401 Thames Street, to allow the doors to front patio to remain open during acoustic music (no amplification) from 11:30 a.m. to 1:00 a.m. (Second Hearing)
- 6. Sidewalk Café License, New, Thames Street Thai Cuisine, LLC, d/b/a Thai Cuisine, 517 Thames St. (Continued from May 9, 2012)
- 7. Catering License, New, Call Girl, LLC, d/b/a Call Girl Catering, 88 Broadway
- 8. Sidewalk Café License, New, Yesterday's Newport, Inc., db/a Yesterday's, 28 Washington Square
- 9. Victualing License Expansion, 108 Laces, Inc., d/b/a Mudville Pub, 8 West Marlborough St., to a 5'5" x 44'10" patio on the front and west sides of the building, with a food cart/grill on the west side.

10. Victualing License, New, MANI, LLC, d/b/a Juicy Cheesy Burgers, 404 Thames St.
11. Victualing License, New, Pretzel Dog, LLC, d/b/a Pretzel Dog, 26 Broadway
12. Victualing License, New, Stone Soup, LLC, d/b/a Stone Soup, 162 Broadway (in conjunction with transfer of POB, Inc., liquor license)
13. Entertainment License, New, Stone Soup, LLC, d/b/a Stone Soup, 162 Broadway (in conjunction with transfer of POB, Inc., liquor license)

### **COMMUNICATIONS & PETITIONS**

14. Communication from Robert S. Walker, et als, asking to address the Council regarding RIGA Legislation H-7603 and S-2639, which would put before the voters a Constitutional amendment to include the RI General Assembly under the jurisdiction of the RI Ethics Commission.
15. Council Liaison Updates
16. City Manager Update, re: Study of possible benefits of combining certain City and School Services

### **RESOLUTIONS**

17. Supporting Legislation establishing the East Bay Energy Consortium – J. Napolitano, H. Winthrop (Continued from May 9, 2012)  
-- Communication from Benjamin C. Riggs, 15-D Harrington St., opposing the legislation.
18. Honoring RHS Juniors who received awards at the RI National History Day Ceremony (Lydia George, Myranda Fuentes, Fiona Heaney, Gabrielle Hermes, Chase Ceglie, Will Chilton, Devon Mello, Clare Brown, and Elizabeth Rudd) and Newport Teacher of the Year, Coleen Hermes, who guided the students – H. Winthrop, C. Duncan, S. Waluk, J. Napolitano, J. McLaughlin, K. Leonard, N. Neville

## **ORDINANCES**

19. Amending Ordinance amending Title 17 of the Codified Ordinances, entitled, “Zoning,” specifically, Sections 17.04.050 “General Requirements” (deleting Paragraph K); “Section 17.08.010, “Definitions” (adding a definition for “Demolition”); and creating a new Chapter 17.86, “Demolition of Structures.” (Second Reading; continued from May 9, 2012)

## **COMMUNICATIONS FROM THE CITY MANAGER**

20. Action #4991/12, re: Transfer from Council Contingency to the Canvassing Authority Budget for Mandatory Redistricting Service (with accompanying resolution)
21. Action #4992/12, re: Newport Police Department 2012 Byrne Grant (with accompanying resolution)
22. Action #4993/12, re: CH2M Hill Contract Change Order for Citywide GIS Assessment (with accompanying resolution)
23. Action #4994/12, re: Stimulus Funding – Community Development Block Grant Application (with accompanying resolution)
24. Action #4995/12, re: Supplemental Contract Agreement Amendment—CDBG-R Program (with accompanying resolution)
25. Action #4996/12, re: Bid Award for Water Works Supplies (with accompanying resolution)
26. Action #4997/12, re: Bid Award for Water Chemicals (with accompanying resolution)
27. Action #4998/12, re: Award of Contract for Paradise Pump Station Architectural Improvements (with accompanying resolution)
28. Action #4999/12, re Bid Award for Mechanical/Plumbing Contract Services (with accompanying resolution)
29. Action #5000/12, re: Bid Award for Big Belly Recycling Stations (with accompanying resolution)

30. Action #5001/12, re: Bid Award for Fire Alarm Maintenance Contract Services (with accompanying resolution)
31. Action #5002/12, re: Bid Award for Roadway Improvement Program 2012 (with accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

## **BOARD OF LICENSE COMMISSIONERS**

1. **CONSENT CALENDAR** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)

■ Class F Daily Liquor License:

- a. St. John the Evangelist Church, d/b/a St. John's Annual Summer Fair, July 28, 2012, from 10:00 a.m. to 2:00 p.m. on the Church grounds.
- b. Newport Public Education Foundation, d/b/a "An Evening of Education"; Salve Regina University, Ochre Court, June 7, 2012, from 7:00 p.m. to 9:00 p.m.

## **LICENSES & PERMITS**

1. Application of Thames Street Thai Cuisine, LLC, d/b/a Thai Cuisine, 517 Thames Street, first floor and outdoor patio, to expand its Class BL alcoholic beverage license to a 6'6" x approx. 20' sidewalk café. (Hearing; continued from May 9, 2012)
2. Application of POB, LLC, d/b/a Spanglish, 162 Broadway & 2 Caleb Earl St., first floor, to transfer its Class BV alcoholic beverage license to Stone Soup, LLC, d/b/a Stone Soup, for the same premises. (Hearing)

### **Bills of Indebtedness**

-- Bill DelNero Cleaners & Laundry, Inc.:	\$ 490.10
-- McLaughlin & Moran, Inc.:	\$ 734.37

3. Application of 108 Laces, Inc., d/b/a Mudville Pub, 8West Marlborough St., first floor and rear patio, to expand the premises of its Class BV alcoholic beverage license to a 5'5" x 44'10" outdoor patio on the front and west sides of the building, with a food grill/food cart on the west side. (Hearing)
4. Application of Yesterday's Newport, Inc., d/b/a Yesterday's, 28 Washington Square, to expand the premises of its Class BV alcoholic beverage license to a 12' x 34' sidewalk café. (Hearing)

ADJOURN

Kathleen M. Silvia  
City Clerk

May 16, 2012